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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 JAMES DALTON BELL,

14 Petitioner,

15 v.

16 UNITED STATES OF AMERICA,

17 Respondents.
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CASE NO. C10-5175RBL/JRC

ORDER TO PAY THE FILING
FEE OR FILE FOR LEAVE TO
PROCEED IN FORMA
PAUPERIS

19 The underlying Petition for a Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241
20 has been referred to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. §
21 636(b) (1) (A) and 636 (b) (1) (B), and Local Magistrate Judge's Rule MJR3 and MJR4.

22 Petitioner has not paid the filing fee nor moved to proceed in forma pauperis. The District Court
23 Judge assigned to this action has entered an order that no communication to the court is to be
24 sent by petitioner via U.S. mail.

25 Plaintiff has filed a motion for emergency injunctive relief asking that the motion be
26 ruled on by March 17, 2010. Petitioner also asks for recusal of all judges in the Western District

1 of Washington (Dkt. # 4, page 3). Before these motions will be considered, petitioner must
2 comply with the filing requirements that apply to all habeas corpus petitions – petitioner must
3 pay the filing fee of five dollars or file a motion to proceed in forma pauperis..

4 One of petitioner's contentions is that he filed a prior habeas corpus petition in December
5 of 2007 and that petition was not heard. Court records reveal that petitioner had filed a previous
6 petition -- cause number 07-CV-5680RBL/KLS. That petition was dismissed because petitioner
7 did not pay the filing fee nor move to proceed in forma pauperis.

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9 Until the filing fee is paid or a motion to proceed in forma pauperis is granted, the court
10 will not consider other motions. The motion for recusal and the motion for emergency relief will
11 not be considered until the filing defects are addressed. If petitioner addresses these filing
12 defects, then the court will further consider the motion for recusal and the motion for injunctive
13 relief.

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15 The court previously advised petitioner by letter from the Clerk's office that he had until
16 April 15, 2010 to cure his filing deficiencies (Dkt. # 2). This deadline remains in place.

17 Dated this 19th day of March, 2010.

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21 J. Richard Creatura
22 United States Magistrate Judge
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